



Aging Committee
Public Hearing, March 3, 2022

To: Chairs Miller and Garibay, Vice-Chairs Lopes and Hughes, Ranking Members Fazio and Wilson, and distinguished Aging Committee Members :

Testimony of Fairfield Senior Advocates (FSA) in SUPPORT of:

SB 172 AN ACT CONCERNING CRIMINAL PENALTIES FOR ABUSE, ABANDONMENT AND FINANCIAL EXPLOITATION OF ELDERLY PERSONS, PERSONS WITH DISABILITIES OR CONSERVED PERSONS.

SB 173 AN ACT CONCERNING A STUDY OF THE COST AND FEASIBILITY OF PERMITTING THE COMMUNITY SPOUSE OF AN INSTITUTIONALIZED MEDICAID RECIPIENT TO RETAIN THE MAXIMUM AMOUNT OF ALLOWABLE ASSETS.

HB 5194 AN ACT CONCERNING REGISTRATION OF TEMPORARY NURSING SERVICES AGENCIES.

HB 5197 AN ACT CONCERNING A STUDY OF THE NEEDS OF SENIOR CITIZENS

I submit this testimony on behalf of the Fairfield Senior Advocates (FSA), an all volunteer, non-partisan organization based in Fairfield, CT that is dedicated to support the quality of life and retention of our seniors in Fairfield and elsewhere within our State.

SB 172 AN ACT CONCERNING CRIMINAL PENALTIES FOR ABUSE, ABANDONMENT AND FINANCIAL EXPLOITATION OF ELDERLY PERSONS, PERSONS WITH DISABILITIES OR CONSERVED PERSONS.

As CT experiences an ever increasing aging population, the incidence of Elderly Abuse, Abandonment and Financial Exploitation will surely increase. Stringent preventative measures are needed as a proactive deterrent. FSA fully supports strengthening of these criminal penalties. Seniors and Persons with Disabilities represent a vulnerable populace that needs protection.

Coincidentally, awareness of and the proper reporting by mandated reporters should be essential to the overall protection of our seniors and persons with disabilities. Therefore, the Committee

should enact and approve a main recommendation from the Task Force To Study Ways to Protect Senior Citizens from Fraud. This recommendation mandates training for mandated reporters to insure how to spot issues and what to do when they see these issues. This training program would be similar to the successful mandated training that the Department of Banking provides to the staff of financial institutions. [Public Act 15-236 requires financial agents (as defined by CGS §32-350) to participate in mandatory training to detect elder fraud, exploitation and/or financial abuse.]

In our previous advocacy on an Elder Abuse Registry; we heard of an independent home health care worker stealing jewelry from an elderly client. When confronted by Newtown police, the worker returned with more jewelry than had been reported stolen, none of the additional jewelry belonged to this elder citizen. Hence, this was clearly a repeat offender that should have been prevented from perpetuating more crimes. Another elder experiencing dementia had his entire savings stolen by a home health care worker who took the elder to a casino and gambled the elder's entire savings away. These and other stories (that we know of) are all too frequent.

There is also a requisite need for improved vetting by both home health care agencies and individuals seeking independent home health care workers.

This vetting improvement should initiate with a **separate, publicly available Criminal Registry on Elder Abuse, Fraud, Exploitation**. We have a publicly available registry for Sex Offenders – why not for Elderly and Persons with Disabilities?

Currently, Public Act No. 19-116 established that the Commission on Women, Children, Seniors, Equity and Opportunity provide a portal on the CWCSEO's website with links to publicly available databases of persons found responsible for assault, abuse, neglect, exploitation or abandonment of elderly persons or persons with disabilities.

However, only the following databases are publicly available on the CWCSEO portal: National Sex Offender Registry, Connecticut Sex Offender Registry, CT Nurse's Aide Registry, Practitioner/Entity Suspension or Exclusion Database, CT Criminal Motor Vehicle Conviction Database and the Professional Licensure Verification Database. Its my understanding, that the Department of Justice along with the State Police have a criminal database which is Not publicly available. A citizen may fill out form DPS-0896-C to discern if an individual has a criminal record for a current fee of \$36. The Individual's name and date of birth is required. To receive a full criminal record, the fee is \$75.

Are average seniors or even some home health care agencies aware of the CWCSEO Registry Repository or the State Police database form?

We Support HB 172 and ask the Committee to act in favor of this bill.

SB 173 AN ACT CONCERNING A STUDY OF THE COST AND FEASIBILITY OF PERMITTING THE COMMUNITY SPOUSE OF AN INSTITUTIONALIZED MEDICAID RECIPIENT TO RETAIN THE MAXIMUM AMOUNT OF ALLOWABLE ASSETS.

We have already provided testimony to the Human Services Committee in support of **SB 195** AN ACT INCREASING THE MINIMUM AMOUNT OF ASSETS THAT MAY BE

RETAINED BY THE SPOUSE OF AN INSTITUTIONALIZED MEDICAID RECIPIENT
which seeks to raise the minimum asset level for a community spouse from \$27,400 to \$50,000.

During the 3-1-2022 Human Services Public Hearing -we heard that CT is in line with other states. But, New York State has a minimum amount of \$74,820.

Two states, South Carolina and Illinois have only one amount (not a minimum and maximum) – their amounts are \$66,480 and \$109,560, respectively. These states are clearly protecting their in-need citizens who possess low asset levels.

A minimum asset level of \$27,400 is not reasonable in CT.

In this economy and in our high cost of living state, even \$50,000 in assets may be challenging. An attendant benefit in raising the minimum would be that the community spouse should be more self sufficient and not in need of additional future state assistance.

We request that any established minimum include an annual, automatic Cost of Living adjustment (COLA),and that such adjustment not be limited to COLA alone should additional factors dictate a higher than COLA adjustment.

We Support SB 173 and ask that the committee act favorably to this bill.

HB 5194 AN ACT CONCERNING REGISTRATION OF TEMPORARY NURSING SERVICES AGENCIES.

We support this bill given the acute nursing personnel shortage and the significantly higher wages and even bonuses paid to entry level personnel in other industries.

All temporary nursing services agencies directed by the Department of Public Health(DPH) should meet established requirements as set by DPH. These requirements should include:

- 1) Minimum qualifications and training
- 2) Annual Reporting to DPH
- 3) Average Fees charged by the agency to a health care facility by type of nursing personnel
- 4) Percentage of fees retained by agency after salaries are paid.

The Average Fees charged by the agency to a health care facility by type of nursing personnel should be evaluated by county to reduce any major deviation from state averages within that county.

There should also be coordination between DPH and health care facility to insure the nursing personnel type is correctly matched to the health care facility need and that there is no over qualification of personnel resulting in higher inappropriate fees.

We support HB 5194 and request that the committee act favorably to this bill.

HB 5197 AN ACT CONCERNING A STUDY OF THE NEEDS OF SENIOR CITIZENS

CT needs to insure the requisite resources are available in future years with our increasing senior demographics.

Sen Kelly in the Human Services Public Hearing on 3-1-2022 indicated that about 95% of the seniors he talks to say they want to stay at home. While that is anecdotal, most senior citizens I know also want to age in place. Given the Covid pandemic and the disappointing results in nursing homes and long term care communities, this trend has most likely accelerated.

A study is indeed needed to measure these senior demographic trends and age in place choices that will affect near, intermediate and long term CT resources.

We support this bill and request the committee act favorably on this bill.

Thank you for your dedicated service to our state and for this testimony opportunity.

Sincerely

William Lenahan

William Lenahan – Fairfield Senior Advocates
Fairfield, CT